

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MEDICAL PROPERTIES TRUST, INC.,

Plaintiff,

- v. -

VICEROY RESEARCH LLC; FRASER
JOHN PERRING; GABRIEL BERNARDE;
and AIDAN LAU,

Defendants.

Civil Action No. 2:23-cv-00408-RDP

**PLAINTIFF'S CONSENT MOTION FOR LEAVE TO FILE CONFIDENTIAL
MATERIAL UNDER SEAL PURSUANT TO THE COURT'S FEBRUARY 21, 2024
ORDER**

On February 21, 2024, the Court ordered that, “[t]o the extent any briefings or exhibits” related to certain discovery disputes “require the disclosure of confidential information, those documents **SHALL** be filed **UNDER SEAL.**” (Doc. 86.) Pursuant to that Order, paragraph 7 of the Protective Order, (Doc. 72, ¶ 7), and Section III.A of the Court’s Civil Administrative Procedures Manual, Plaintiff Medical Properties Trust, Inc. respectfully moves for permission to file under seal the following documents:

- Portions of Plaintiff’s Brief Concerning Discovery Disputes to be Argued at March 13, 2024 Discovery Conference (the “Brief”) that contain confidential information; and
- Exhibits 3, 8, 10, 11, 12, 13, 14, 18, 19, 20, and 21 cited in and attached to the Brief.

Each exhibit listed above has been designated “Confidential” under the Protective Order or reflects information so designated. The Brief references these exhibits, and the confidential information they contain, extensively. Accordingly, and in compliance with the Court’s

February 21 Order, Plaintiff seeks to file these documents under seal. Defendants' counsel has informed Plaintiff's counsel that Defendants do not oppose this Motion.

Contemporaneously with this Motion, Plaintiff will email the Brief and the confidential exhibits referenced above to chambers. Consistent with Section III.A of the Civil Administrative Procedures Manual, Plaintiff intends to file sealed envelopes containing these documents with the Clerk's office.

CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests the Court's leave to file under seal exhibits 3, 8, 10, 11, 12, 13, 14, 18, 19, 20, and 21 and those portions of the Brief that refer to or discuss these exhibits or any other information designated Confidential by the parties.

Dated: March 8, 2024

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Certification Pursuant to Section C of the Initial Order

Counsel hereby certifies that he has affirmatively and diligently sought to submit to the Court only those documents, factual allegations, and arguments that are material to the issues to be resolved in the Motion, that careful consideration has been given to the contents of this submission to ensure that it does not include vague language or an overly broad citation of evidence or misstatements of the law, and that this submission is non-frivolous in nature.

/s/ Wesley B. Gilchrist

Of Counsel

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will give notice of such filing to all counsel of record.

/s/ Wesley B. Gilchrist

Of Counsel